

EXHIBIT B

From: [Byam-Katzman, Jesse L.](#)
To: [Mirkin, Alex](#); [Nerko, Charles](#); [Richard J. Parks](#)
Cc: [Wronski, Andy](#); [Stone, Betsy](#); [Efrem Grail](#)
Subject: Bessemer - Security Review
Date: Friday, September 24, 2021 4:10:24 PM

Charles and Alex:

The Court's recent ruling on Bessemer's motion to dismiss counterclaims makes clear that discovery on Bessemer's brute-force attack on Fiserv Solutions' Virtual Branch platform and the motivations behind the attack will be required: "Discovery is necessary before this Court can ascertain the actions leading up to, and involved in, the 'security review,' the motivations behind it, and the information that was ultimately accessed as a result of the 'review.'" (ECF No. 120 at 19-20.)

Defendants served discovery on this topic and requested that Bessemer identify the person(s) hired to conduct the attack. Bessemer did not identify the individuals involved in the attack and only stated "a consulting expert who was engaged by Bessemer's counsel conducted the security review." (Bessemer Supp. Resp. Rog No. 9.) Defendants also sought information on the specific steps taken to perform the attack and the documents generated in connection with the attack. Bessemer likewise refused to provide any information. (*Id.*, Rog No. 10)

Defendants are entitled to discovery on this event, including the identity of the individual hired to conduct the attack. Regardless of how this person was hired, he or she was involved in the facts underlying this claim and is therefore an essential fact witness. The attacker's identity along with the identity of any other individuals involved will be required for purposes of third-party discovery and negotiating search terms. Defendants ask that Bessemer promptly provide this information.

There are a number of unresolved issues concerning deficiencies in Bessemer's discovery responses that will likely require further meet and confers, and Defendants reserve all their rights. The identity of the attack, however, is an issue that can be and should be resolved now.

Thank you,
Jesse

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